IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SIXTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 17911 of 2004

Between:

Smt.P.Vanaja, W/o P.R.Narasinga Rao, Working as Senior Hindi Translator
O/o Chief General Manager, Telecom, A.P.,Hyderabad.

... PETITIONER

AND

1 The Director General, Telecommunications & Information Technology, Government of India, New Delhi.
2 The Assistant Director-General (Pers.II), Bharath Sanchar Nigam Ltd., (A Govt. of

India Enterprise) Statesman House, B-148, Barkhamba Road, New Delhi.
3 The Chief General Manager (Telecom) Bharath Sanchar Nigam Ltd., A.P.Circle,

Hyderabad.
4 Smt.M.Lalitha Kumari, W/o M.S.Ramakrishna,Junior Hindi Translator and presently

working as Assistant Director (OL) (Officiating), o/o General Manager, Telecom

District, Kurnool.
5 Ms.P.Sarojini, Junior Hindi Translator and presently working as Assistant Director

(OL) (Officiating), o/o General Manager,Telecom District, Vizianagaram.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents in effecting ad hoc promotions to the cadre of Assistant Director (OL) ignoring the seniority and qualifications of the petitioner as arbitrary, illegal and violative of principles of natural justice and consequently direct the respondents to notionally promote the petitioner to the post of Assistant Director

(OL) with effect from the date on which his immediate junior was promoted to the post of Assistant Director (OL) with all attendant benefits

Counsel for the Petitioner: MR.S.SHARAT KUMAR

Counsel for the Respondents 1 to 3: MR KANTHI NARAHARI SC FOR BSNL

The Court at the admission stage made the following order:

ORDER:

Petitioner claims that she is working as Senior Hindi Translator in the officer of the third respondent. She contends that she could not go on *Ad hoc* promotion when it was offered to her due to the education of her child. Subsequently, in the year 2002 she made a representation to the third respondent expressing her willingness and requesting the third respondent to consider her case for promotion. The grievance of the petitioner is that her juniors about 7 in number were promoted on *Ad hoc* basis but her case was not considered for the said promotion. Therefore, she approached this Court through this writ petition seeking to declare the action of the respondents in effecting *Ad hoc* promotions of her juniors to the cadre of Assistant Director (OL) ignoring her seniority and qualifications as arbitrary, illegal and violative of principles of natural justice and consequently direct the respondents to notionally promote her to the post of Assistant Director (OL) with effect from the date on which her immediate juniors were promoted to the said post with attendant benefits.

Promotion to a post should be made as per the recruitment rules in force. The

petitioner claims that she is qualified to get promotion to the post of Assistant Director (OL). Her grievance is that though she made a representation in the year 2002 no action has been taken in pursuance of the said representation regarding her request for promotion.

Having regard to the circumstances explained by the petitioner, the third respondent is directed to consider the representation of the petitioner regarding promotion to the post of Assistant Director (OL) in the light of the recruitment rules in force within four weeks from the date of receipt of this order and pass appropriate orders.

The writ petition is accordingly disposed of. No order as to costs.

_____

Dr. G. YETHIRAJULU, J

October 6, 2004

Dsk

To:

1 The Director General, Telecommunications & Information Technology, Government of India, New Delhi.
2 The Assistant Director-General (Pers.II), Bharath Sanchar Nigam Ltd., (A Govt. of India Enterprise) Statesman House, B-148, Barkhamba Road, New Delhi.
3 The Chief General Manager (Telecom) Bharath Sanchar Nigam Ltd., A.P.Circle,

Hyderabad.
4 Two C.D. Copies.